

WHY DOES NEWARK NEED A LEAD PAINT JOBS ORDINANCE?

1. THE CRISES: LEAD POISONING AND JOBLESSNESS

- Lead poisoning and extreme unemployment are ravaging Newark's children and neighborhoods.
- Newark has the highest incidence of lead poisoning of children in New Jersey, accounting for 40% of cases although only 4% of the state's children live here.
- Newark suffers from chronic and extreme unemployment, with a jobless rate above 20% - more than three times the New Jersey average.

2. FEDERAL AID AND SECTION 3

- Newark has received \$3.2 million in grants from the U.S. Department of Housing and Urban Development (HUD) for lead paint abatement.
- The HUD aid is covered by Section 3 of the Housing and Urban Development Act of 1968, which requires Newark to ensure that low-income Newark residents receive a fair share of the resulting jobs.

3. THE SOLUTION: A NEWARK LEAD PAINT JOBS ORDINANCE

- The ordinance would give the City a tool for addressing the severe shortage of decent-paying jobs for Newark's low-income residents. It would permit the City to compel lead abatement contractors working for the City to hire properly trained, low-income Newark residents.
- The ordinance provides a means for Newark to implement and comply with its duties under Section 3 to ensure that low-income residents receive a fair share of the jobs created when HUD funds are spent.
- By giving low-income community workers a fair share of lead abatement jobs, the ordinance will ensure that abatement is done in the safest manner possible. When local residents are working on a job, they can guarantee that every precaution will be taken to protect the community's children.
- The ordinance has been drafted so as to be practical, feasible, and readily implemented.

QUESTIONS AND ANSWERS ABOUT THE NEWARK LEAD PAINT JOBS ORDINANCE

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- Who would it apply to? Lead paint abatement contracting firms hired by the City of Newark to abate lead paint in City-owned and privately-owned housing.
- What would it do? (1) Empower the City to give jobs to low-income Newark residents who have been properly trained in state-certified programs to perform lead paint abatement and related activities. (2) Empower the City to give contracts to lead abatement contracting firms that employ substantial numbers of properly trained, low-income Newark residents.
- How would the JOBS part work? Lead paint abatement firms hired by the City would be required to fill any new positions with properly trained, low-income Newark residents. The ordinance would set up a job bank called the "Newark Lead Jobs Clearinghouse" to refer qualified workers to contractors. The requirement would not be burdensome on contractors, since they would still be able to bring in their regular, permanent work force. Only if a contractor needed to hire a new worker would the ordinance's jobs requirement apply.
- How would the CONTRACTS part work? In order to further expand employment opportunities for low-income Newark residents, a portion of the City's lead paint abatement contracts would be reserved for firms that already employ substantial numbers of local residents. Specifically, 50% of the City's lead paint abatement contracts would be reserved for firms that commit to performing at least 50% of the job using low-income Newark residents. This requirement would not discriminate against or exclude any firm, since any contractor willing to make this commitment would be entitled to bid on these reserved contracts.
- Would the ordinance enable Newark to comply with Section 3? Yes. Section 3 requires that, if possible, new positions on the work forces of firms performing HUD-funded contracts should be filled with low-income local residents. Section 3 also requires that, if possible, HUD-funded contracts should be awarded to firms that already employ significant numbers of low-income local residents. The Newark Lead Jobs Ordinance would enable Newark to meet both of these requirements, and would do so in a way that would not be administratively burdensome on the City.
- Can Newark legally adopt the ordinance? Yes. Under both New Jersey and Federal law, Newark has authority to adopt and enforce the ordinance.